



493284

SEP 15 2005

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC  
W80901

Mr. Scott De Groate  
President  
De Groate Petroleum Service, Inc.  
441 De Groate Road  
New Lenox, Illinois 60451

Dear Mr. De Groate:

An inspection of your facility on August 30, 2005, indicated that your facility did not have a Spill Prevention, Control and Countermeasure ("SPCC") Plan according to the requirements of Title 40, Part 112 of the Code of Federal Regulations ("40 C.F.R. Part 112").

Pursuant to Section 311(b) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1321(b), violations of the SPCC regulation contained at 40 C.F.R. Part 112, subject owners and operators of a facility to administrative civil penalties of up to \$11,000 per day (up to a maximum of \$157,500) or judicial civil penalties of up to \$32,500 per day.

**De Groate Petroleum Service, Inc.** must take prompt action to prepare and implement an SPCC Plan and come into compliance with the SPCC regulation. U.S. EPA requests, pursuant to Sections 311(m) and 308(a) of the Clean Water Act, 33 U.S.C. §§ 1321(m) and 1318(a), that you provide an SPCC plan certified by a registered Professional Engineer (PE) and signed by an authorized facility management person **within thirty (30) calendar days** from the date of receipt of this letter.

8y  
9/12/05

BAC  
9/13/05

BAC  
9/14/05

RW 9/14/05  
Jellu

These materials must be sent to:

U.S. Environmental Protection Agency  
Emergency Response Branch (SE-5J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590  
Attn: Dr. Shitien Yang, SPCC Inspector Grantee

U.S. EPA has extended the compliance dates for the July 2002 SPCC amendments in 40 C.F.R. Part 112.3(a) and (b). Facilities that were in operation before February 17, 2002 must amend their SPCC Plan, if necessary to ensure compliance on or before February 17, 2006 and must implement the amended SPCC Plan as soon as possible, but not later than August 18, 2006. Affected facilities that become operational after August 18, 2006 must prepare and implement an SPCC Plan before starting operations.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

If you have any questions, please feel free to contact Dr. Shitien Yang, SPCC Inspector Grantee, at (312) 886-0850.

Sincerely,

Linda M. Nachowiz, Chief  
Emergency Response Branch

cc: Illinois Environmental Protection Agency

bcc: yellow (official case file)  
blue (SPCC read)

mdadamo/6-5905/9-12-05/zip disk/degroatenoplanltr  
SPCC1 - Noncompliance/